

1 INTRODUCTION

1.1 BACKGROUND AND PURPOSE OF THE RECIRCULATED DEIR

In March 2006, the City of Santa Clara (City) published the Santa Clara Gardens Development Project Draft Environmental Impact Report (DEIR), which assessed the potential environmental impacts of implementing the proposed Santa Clara Gardens development project. The proposed project would develop market-rate and affordable housing on a 17-acre site with 110 single-family dwelling units, 165 senior housing units, and 1 acre of park land.

The DEIR was circulated for public review and comment for a period of 45 days ending on April 24, 2006. At the end of the review period, comments were received on the Environmental Impact Report (EIR). The City reviewed those comments to identify specific environmental concerns and determine whether any additional environmental analysis would be required to respond to issues raised in the comments. Some comments were received that addressed the methodology used in assessing the project's cumulative transportation impacts. Specifically, commenters requested that the cumulative transportation analysis consider the cumulative impacts of the project in combination with cumulative development associated with the proposed expansion of Westfield's Valley Fair Mall (adjacent to the project site).

At the time the traffic analysis was prepared for the DEIR (i.e., October 2005), the City of San Jose had not received any applications for the proposed expansion of Valley Fair Mall and based on conversations with City staff in developing the cumulative traffic scenario, there was no knowledge of the proposed expansion. As a result, the cumulative transportation analysis prepared for the DEIR considered all past, present, and reasonably foreseeable future projects as of September 2005 and consistent with the requirements of Section 15130(b)(1)(A) of the State California Environmental Quality Act (CEQA) Guidelines. The project applicants for the proposed Valley Fair Mall expansion project submitted their application to the City of San Jose in March 2006.

While the City believes the DEIR complied with CEQA and the State CEQA Guidelines regarding analysis of cumulative impacts, it nonetheless decided to re-evaluate the cumulative traffic scenario to include the proposed Valley Fair Mall expansion because of this project's close proximity to the Santa Clara Gardens site. The revised traffic analysis was prepared in July 2006. The results of the analysis revealed that the project in combination with other cumulative development would cause one new roadway intersection (i.e., Stevens Creek Boulevard and Winchester Boulevard) to exceed identified significance thresholds. Further, mitigation is not available or feasible to reduce this impact to a less-than-significant level. As a result, the project would contribute to a new significant and unavoidable cumulative impact. Please see Section 4.10, "Transportation and Circulation," of this Recirculated DEIR (RDEIR) for additional details.

Public comments were also submitted expressing concern about the potential for hazardous materials effects from prior research on the site where pesticides were used. Recognizing the independent need to recirculate the DEIR for the revised traffic analysis, the City has also

decided to clarify the approach and methodology used to assess the potential for hazardous materials risk, even though the DEIR's impact conclusion (i.e., less than significant effect) does not change and no additional, substantive information about site conditions needs to be added to the EIR. All information clarified in this RDEIR was presented in the appendices of the DEIR (Appendix D and E) and the removal action workplan circulated by the Department of Toxic Substances Control (DTSC) during the public review period of the DEIR. Please see Section 4.6, "Hazardous and Hazardous Materials" for the clarifying explanation about methods used to assess the potential for hazardous materials on the project.

Section 15088.5 of the State CEQA Guidelines requires lead agencies to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the DEIR for review. Significant new information requiring recirculation includes "a new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented." As described above, the project would result in a new significant and unavoidable cumulative transportation impact that was not previously described in the DEIR circulated to the public in March 2006. Therefore, the City has decided to prepare this RDEIR for public review.

As required by State CEQA Guideline Section 15088, the City will evaluate comments received on the RDEIR. The comments and responses will be included in the Final EIR as a separate chapter, along with revised EIR text necessitated by the response to comments.

1.2 BACKGROUND AND CONTENT IN THE RECIRCULATED DEIR

Consistent with the requirements of Section 15088.5(c) of the State CEQA Guidelines, this RDEIR only contains those sections of the DEIR where significant new information is provided (e.g., Transportation and Circulation). For the Hazardous and Hazardous Materials Chapter, the City has clarified or amplified the existing methodology used in preparation of the EIR. While this information would not be considered significant new information based on Section 15088.5[b)] of the State CEQA Guidelines, the City is providing this information to the public for their review as part of this RDEIR.

The RDEIR consists of the following chapters and sections. Where substantive changes to the text have occurred, these paragraphs have been highlighted throughout the RDEIR. All chapter and section numbering is consistent with the chapter and section numbering outline released in the DEIR (March 2006).

Chapter 1, Introduction: Chapter 1 describes the purpose and organization of the RDEIR. The introduction chapter contains new content from that presented in the DEIR.

Chapter 3, Project Description: Chapter 3 describes the project location, background, proposed actions by the applicants, lead agency, trustee and responsible agency actions, project characteristics, and project objectives. This chapter also describes project construction and regulatory requirements. No changes to the project description have occurred since publication of the DEIR (March 2006).

Section 4.6, Hazards and Hazardous Materials: This section describes the past operations that have occurred at the project site in relation to hazards and hazardous materials, studies that have been conducted to characterize conditions on the project site, and the project's impacts as a result of hazards and hazardous materials at the project site. Mitigation is recommended for significant impacts where necessary and feasible.

Section 4.10, Transportation and Circulation: This section describes the project's transportation and circulation impacts associated with implementation of the project. Mitigation is recommended for significant impacts where necessary and feasible.

Chapter 5, Cumulative Impacts: This chapter contains a discussion of cumulative transportation and circulation impacts that would result from the proposed project in combination with reasonably foreseeable projects in the project area.

Chapter 6, Other CEQA-Mandated Sections: Project and cumulative impacts related to transportation and circulation that cannot be mitigated to a less-than-significant level are documented in this chapter.

Chapter 7, Alternatives to the Proposed Project: This chapter describes alternatives to the project, at a level consistent with CEQA requirements; State CEQA Guidelines Section 15126.6(d). This chapter presents a brief description of alternatives that could mitigate the project's significant environmental impacts while meeting most project objectives. This chapter also describes the alternatives previously considered and rejected. The discussion of alternatives is the same as that circulated in the DEIR except for the discussion of transportation and circulation impacts.

Chapter 8, References: This chapter sets forth a comprehensive listing of all sources of information used in the preparation of the RDEIR.

Chapter 9, Report Preparation: This chapter identifies the RDEIR authors and consultants who provided analysis in support of the RDEIR's conclusions.

Appendices: Appendices contain various technical reports and publications summarized or otherwise used in preparation of the RDEIR.

1.3 RELATION TO DEIR

Consistent with the requirements of CEQA Guidelines Section 15087, this RDEIR is being made available on July 21, 2006, for public review for a period of 45 days. The public review period ends on September 4, 2006. During this period, the general public, agencies, and organizations may submit written comments on the RDEIR to the lead agency. Pursuant to procedures set forth in CEQA Guidelines Section 15088.5(f)(2), reviewers are requested to limit their comments to the materials contained in this RDEIR.

As required under CEQA Guidelines Sections 15087 and 15088.5(d), the City has sent a Notice of Availability, to all organizations and members of the public who were on the City's

distribution list for the DEIR, and to any additional persons or organizations that have requested copies of the DEIR.

Copies of this RDEIR are available for review at:

City of Santa Clara Planning Department
1500 Warburton Avenue
Santa Clara, CA 95050

Santa Clara Central Park Library
2635 Homestead Road
Santa Clara, CA 95051

All written comments on this RDEIR should be addressed to:

City of Santa Clara Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

After close of the comment period, the City will consider all comments received on this RDEIR, prepare responses as required, and prepare the Final EIR. The Final EIR, which will consist of the DEIR, RDEIR, comments on the DEIR, comments on the RDEIR, responses to comments, and any text changes, will be considered by the City Council for certification if it is determined that the Final EIR has been completed in compliance with CEQA. Following certification of the EIR, the City Council will consider the proposed project for approval.